

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No.	SACV 15-935-AG (ASx)	Date	September 21, 2015
Title	MARSHALL SANDERS, et al. v. BANK OF AMERICA, N.A., et al.		

Present: The Honorable ANDREW J. GUILFORD

Lisa Bredahl

Not Present

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

**Proceedings: [IN CHAMBERS] ORDER DISCHARGING ORDER TO  
SHOW CAUSE RE PRELIMINARY INJUNCTION**

On September 14, 2015, Plaintiffs Marshall S. Sanders and Lydia O. Sanders (collectively, "Plaintiffs") filed a "Notice and Memorandum of Points and Authorities in Support of Emergency Ex Parte Application and Motion for Temporary Restraining Order to Cancel and Enjoin a Trustee's Sale Scheduled for September 22, 2015 at 12:00 Noon and for Preliminary Injunction." (Dkt. Nos. 26-30.)

On September 15, 2015, the Court declined to issue a Temporary Restraining Order, but did issued an Order to Show Cause ("OSC") why a Preliminary Injunction should not issue. Defendants Bank of America, N.A.; Well Fargo Bank, N.A., as trustee, on behalf of the Harborview Mortgage Loan Trust Mortgage Loan Pass-Through Certificates, Series 2007-1; National Default Servicing Corp.; and Select Portfolio Servicing, Inc. (collectively, "Defendants") filed a response to the OSC on September 17, 2015. (Dkt. No. 33.) Plaintiffs, also on September 17, 2015, filed a "Response to Defendants' Response to this Court's Order to Show Cause Why a Preliminary Injunction Should Not Issue." (Dkt. No. 34.)

The Court DISCHARGES the OSC and declines to issue a Preliminary Injunction. Plaintiffs' papers make a lackluster showing and provide unconvincing arguments concerning the requirements for issuing a Preliminary Injunction. In a submission with approximately one page of argument, Plaintiffs inadequately and inarticulately tried to respond to Defendants'

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arguments that Defendants' raised in their filing. On September 21, 2015, there was a Scheduling Conference in this lawsuit, and the Court had hoped to discuss with Plaintiffs at that hearing certain of their arguments raised in their papers. Plaintiffs did not appear at the Scheduling Conference. The Court's ability to resolve issues here has been limited because of Plaintiffs' failure to appear.

For many reasons, the Court DISCHARGES the OSC and declines to issue a Preliminary Injunction.

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